

Amendment under 37 C.F.R. §1.116
Attorney Docket No. 062440
Application No. 10/577,916

REMARKS

Claims 1-6 are pending in the present application. Claims 1 and 2 are herein amended.
No new matter has been presented.

Notice of References Cited

The Office Action indicated that the Funahashi reference (JP 2001-064021) was cited in an Information Disclosure Statement (IDS). (Office Action, page 3.) Applicant notes that the Funahashi reference was submitted with the IDS of August 1, 2006; however, the reference was inadvertently left off of the Form PTO/SB/08 submitted with the IDS. Applicant requests that the Funahashi reference be made officially of record by listing on the Notice of References Cited (Form PTO/892).

Claim Rejections - 35 U.S.C. §§ 102 and 103

Claims 1-4 were rejected under 35 U.S.C. § 102(b) as being anticipated by **Ariafard**, *Hydrogen peroxide decomposition over La_{0.9}Sr_{0.1}Ni_{1-x}Cr_xO₃ (0 < x < 1) pervoskites*, Catalysis Communications, 4 (2003)561-566; and claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Ariafard** in view of **Funahashi** (JP 2001-064021).

Favorable reconsideration is requested.

Applicant respectfully submits that Ariafard does not teach or suggest “A complex oxide having a composition represented by the formula La_vM¹_wNi_xM²_yO_z; wherein M¹ is Bi” as recited in amended claims 1 and 2.

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Ariafard discloses an oxide having a perovskite structure represented by $\text{La}_{0.9}\text{Sr}_{0.1}\text{Ni}_{1-x}\text{Cr}_x\text{O}_3$. Ariafard does not disclose an oxide of the formula recited in Claims 1 and 2 of the present application, wherein M^1 is Bi.

For at least the foregoing reasons, claims 1 and 2 are patentable over the cited references, and claims 3-6 are patentable by virtue of their dependence from either claim 1 or 2. Accordingly, withdrawal of the rejection of claims 1-6 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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